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MEMORIAL

— TO THE —

Government and Parliament of Canada

— OF —

MALCOLM MacLEOD, Q. C., &c.,

For Indemnity for Service

In Initiating the Canadian Pacific Railway,

&c., &c.

OTTAWA:
PRINTED BY A. S. WOODBURN, ELGIN STREET.

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Memorial of Malcolm MacLeod, Q.C., &c.

To His Excellency the Right Honourable Lord Stanley, of Preston, &c., &c., Governor-General of the Dominion of Canada :

To the Honourable The Senate of Canada :

To the Honourable The House of Commons of Canada :

The Undersigned Memorialist respectfully represents :

That on the 19th May, 1871, while deeply engaged in practice at the Bar in Aylmer in the Province of Quebec, he was, by telegram from Mr. Sandford Fleming, the Engineer in Chief charged by the Government of Canada with the work of survey of a Pacific railway across the continent, solicited to aid him in starting the preliminary survey for it—" expenses to be paid." Paper B in appendix to this is a copy of the telegram—the original being attached to the memorialist's petition to His Excellency the Governor-General in Council in this matter.

That thereupon, under a sense of the paramount importance and urgency of the matter, the memorialist at once responded ; giving, in the course of repeated personal attendances at the office of Mr. Fleming, in Ottawa, a mass of information from personal knowledge and from private journals, and other papers of the memorialist's father, the late Chief Trader John McLeod, senior, an officer and partner in trade of the Hudson's Bay Company, and also journals and plans of his associate and successor in British Columbia, the late Chief Factor Archibald McDonald.

That this information was as to parts of British Columbia that had never been surveyed, nor even cursorily explored and officially or otherwise reported on.

That, however, it proved full and definite enough to enable Mr. Fleming to, at once, give intelligent and practical instructions to his survey parties in that region.

That the exceptional and " extreme " value, at the juncture of that information is attested to in the accompanying papers A and E, viz., certificates from Mr. Fleming, and the late Sir James Douglas, Governor of British Columbia.

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That that information gave three definite feasible routes across British Columbia, viz., from the Yellow-Head Pass to the mouth of the Fraser River, and from the same Pass to the Bentinck Arm (Bellacoola), and a northern route, infinitely easier and very little longer, viâ the Peace River Pass to Port Simpson at the mouth of the Skeena. As to reaching Vancouver's Island by continuous rail, the difficulty, and apparent impossibility of such a project was shown by the memorialist as the result of previous explorations in which he had been personally interested.

That in connection with the above information, Mr. Fleming suggested to the memorialist that it would be well for the scheme and in the public interest, for the memorialist to publish it. This, the memorialist at once, did in the *Brochûre* (a book of about 120 closely printed pages), with a valuable map, by Arrowsmith, from the Hudson's Bay Company's private charts—best authority on the subject.

The preparation—hurried and difficult at the time with a sacrifice of much profitable professional duties—cost the memorialist a great deal.

Nothing was stated or agreed on as to the cost of publication. The work, from its nature—a sort of blue book, with dry statistical details—was not calculated for general reading, and sale, and was more for distribution where it might benefit the scheme. A few copies were sold by the publisher—say about 50 out of the issue of 500: the rest were bought by the memorialist from the publisher at a cost of about two hundred and fifty dollars, and were gratuitously distributed by him so beneficially as to enlist the first responsible promoters of the scheme, and inspire a practical degree of confidence in it. The facts on this point, though generally known, and privately, from highest quarters, acknowledged and commended, have never been publicly stated; and the memorialist is reluctant to enter upon any exposition in this relation. Suffice it for the present, on this head, to refer to the authoritative statements (certificate *ad hoc*) of Mr. Fleming—paper A, annexed, and other accompanying certificates, &c.

That these statements also allude to the special value of the memorialist's information—as subsequently found to be correct—of the extraordinary fertility and fitness for settlement and economic development of the vast region beyond the so-called "Fertile Belt" of the Saskatchewan.

That the memorialist was the first to draw notice to this fact. That that fact, as Mr. Fleming says in his said certificate, "cer-
"tainly weighed very heavily in the scales when the question of
"the route of the Pacific Railway was under consideration."

That in fact the enormous extension of wheat field—certainly over three hundred thousand square miles,—thereby indicated as field and financial basis for railway in question, contributed much to the initiation and successful promotion of the scheme. That on this point the memorialist has the strongest assurance, in thanks, in writing from London, from the delegation of directorate then there to float the scheme.

That at the time—after some years of political struggle—when it was finally floated, it was so, largely, on the predicates of the memorialist in the above and other pamphlets as to the extended economic resources, northward and westward, of the regions in question. That these predicates have been since confirmed by the explorations of scientists, viz., Professors Macoun and Selwyn, and Dr. Dawson of the Geological Staff, and by other official experts. That on this point reference may be made to annexed exhibits A, C, G and K.

That on the change of Ministry in the Government late in 1873, when the project was condemned in strongest terms, on all hands, in Parliament, press, and public platform, on the part of those opposed to the Conservative Party, and even by some who had belonged to it, the memorialist, on seeing no defence of it in press or otherwise, called the notice of some of the leading Conservative press to the fact of such default. That their answer (editors) was, in effect, "We have not the facts, and cannot "grapple the thing; do it yourself, you have the facts." He did accordingly: hence the numerous "Britannicus" letters and pamphlets in 1874-8—till the return of the Conservative Ministry. That during all that time the memorialist was—so far as he knows—the only writer in the public press in support of a continuous transcontinental railway, in Canada. All the pamphlets he published on the subject (five or six) were so at his own cost, and were distributed by him in England and Australia as well as in Canada, at his own cost. He is free to admit that he did so on his own responsibility—and, in the general hopelessness of the project and condemnation of it in the public mind, as first essayed, without a word or iota of support save the gratuitous freedom of an almost despairing press.

That these writings, under the signature "Britannicus," found general acceptance in the Conservative press. That the writer confined himself strictly to facts known to him, advancing thereon predicates which were irrefutable, and have since proved true and well founded. That no other public writer, in Canada, England or elsewhere, seemed to be in a position, from want of knowledge of the hitherto unknown material facts to be dealt with, to intelligently advocate the cause.

That the service was virtually beneficial to the scheme is, on all hands, and even in foreign historical record, incontrovertibly admitted. On this head reference may be made to the annexed papers generally, wherein will be found a consensus of such fact.

That that service was, in a sense, a continuing act of the engagement of 19th May, 1871. Be that as it may, the memorialist has not received any payment or compensation in any way, directly nor indirectly, from the Government or any one else for the service from first to last. That its incidental outlay amounts to at least seven hundred dollars, of which he gave details with his petition of 1883.

That apart from the above matter of railway, &c., the memorialist has, in years long gone bye, done special service for the State in the consolidation of the Hudson's Bay and North West Territories and also British Columbia in the Dominion of Canada. These services extend back about thirty years. They are of official and historical record as indicated in annexed paper O, and are, moreover, specially alluded to in the certificates of Mr. Fleming and of Ex-Lieutenant Governors Morris and Masson, and Governor Douglas, herewith produced.

That also in 1869 when the first Red River Troubles occurred, as referred to in His Honour Ex-Lieutenant Governor A. Morris' letter—Exhibit C annexed, with note D in explanation —the memorialist, with considerable trouble to himself, was the means of enabling the Government—in its surprise—to meet the difficulty in the best way possible under the circumstances. For this also, the memorialist holds the note of thanks, from the Minister of the Crown (the late Honourable Mr. Howe), through whom the information was given and suggestion was respectfully proffered.

That there are also various other services at the instance and call of the Government or Parliament, which the memorialist has rendered to the Government and general public in connection with the enquiry as to the physical character and economic resources of our new northern territories, to which he may fairly refer in the present instance.

That in 1875 as a result of the distribution of the memorialist's pamphlet "Peace River," in England, an offer was made by the Reverend Henry M. Fletcher (then of Marlborough, England —now of Grasmere, Westmoreland, England—a gentleman of high responsibility) to the Government of Canada, to conduct and assist with his gratuitous services a colony of about one hundred and forty English agriculturists, of independent means, to the Peace River region. The matter was referred, by the Govern-

ment, to the memorialist for information and advice. As the subject was new and important, the memorialist gave it his best attention and sent in an extended report advising against any immediate effort in that direction, but at the same time indicating what should be done for it in preparation. The report was satisfactory as will appear from the official reference to and acknowledgements of it, in annexed papers H, I and J.

That in 1876, the memorialist was summoned as a witness to give evidence as to the North West Territories and in fact of our whole North and West beyond older Canada, before the Select Committee of the House of Commons on Immigration and Colonization. That the examination was exhaustive, covering the whole ground of enquiry as to economic resources and means of development, &c. That, amongst other evidence, the memorialist repeated his tabulation of economic areas, then yet undetermined by official survey, and not generally known : and since proved to be correct. That the information was given in such a manner, with such authority, as to inspire belief and suggest governmental action for ascertainment of the truth. The report of all this is in blue book, and was extensively utilized in promoting the scheme of railway in question.

* * *

That in 1884 the memorialist was also summoned to give evidence before the Select Committee of the House of Commons on the subject of Navigability of Hudson's Bay and Straits for commercial purposes.

That collating and tabulating with considerable research much useful information on the subject, he gave his evidence with documentary authorities, and from personal experience, in a manner to render it of special value to the enquiry.

* * *

That last Session he was again summoned to give evidence on the subject of the North West before a Parliamentary Committee, viz., The Honourable Senate Committee to enquire into the resources of the great McKenzie Basin. That he did so, freely and largely, is shown by the report of that Committee. That amongst other evidence on that occasion, the memorialist, at the request of the Committee through its Chairman, the Honourable Senator Schultz (now Lieutenant-Governor of Manitoba), gave in (and were accepted) about thirty copies of his book, Peace River, for distribution amongst the members of the Com-

mittee: much of which pamphlet, as to economic resources, is cited in the official report of that Committee.

* * *

That for all these attendances and services as a witness before the above Committees the memorialist makes no special claim for remuneration: it was common citizen duty; and for his time, &c., he was, in some of the instances, taxed and paid in due course, but irrespective of any special consideration for the service.

——:o:——

SUMMARY OF CASE.

But as to the larger service, first above referred to, with its incidental outlay, the memorialist does—as already stated—claim some remuneration and indemnity:

1. Because, in the first instance, he was specifically engaged for the work in question, primarily and sequentially.

2. Because the work was efficiently done, with perfect acceptance and approbation throughout: as now proved.

3. Because the Government and the general public who so accepted, utilized and had the acknowledged benefit of that service are—the memorialist respectfully considers—bound in equity, if not in strict law, to recompense such service, irrespective of any mere legal technicalities that may be suggested: certainly as much so as that of any of the many thousands who for infinitely less sacrifice of personal interests have received due guerdon from Government and Parliament for North West service. That as to evidence—even legal evidence—on this point of liability, the memorialist submits these facts, viz:

1. Mr. Fleming was the authorized officer of the Government for the work in question, under Act of Parliament.

2. He, thereon, necessarily, engaged the memorialist for that work.

3. His certificate of such engagement (apart from the engagement paper itself, the telegram aforesaid) and of the important and beneficial service thereon rendered, is before the Government, accompanying the present petition.

That, moreover, to meet the incident of a reference of the matter by the Privy Council to the Department of Railways, as reported to the memorialist, he procured a duplicate original of his said certificate from Mr. Fleming, and along with a special

memorial (explanatory) to the Honourable Minister of Railways, sent it under address to the Minister of Railways for record in the Department—where, in due course, it should still be, under the official noting "No. 22550. Subj. 961. Reg. 35835," (or about that), to dates "17 Feb." and "23 Feb. 1875" as explained in official acknowledgment paper BB annexed. That the original papers and books of the Pacific Railway in question were, as is known, all destroyed by fire; and that under the circumstances the said certificate is the best proof possible, and legal, technically.

* * *

That some objection has been suggested on the score of delay in the present claim.

That as to that, the memorialist has to say:

1. That the nature of the service—much of it for a while undetermined as to truth and value; the fluctuations of the enterprise, and various other causes of delay in arriving at a satisfactory test of the correctness of the information and advances of the memorialist on the subject, weighed with him in deferring his claim.

2. That from time to time, long before he thought of ever having occasion to prefer any such claim, the memorialist was kindly honoured by purely spontaneous expressions, in writing, of thanks and commendation from leading members of the Government of Canada, accompanied by the gratuitous statement that the service, in view of its special value to the public, should be practically recognized: to quote one—"I read, with pleasure, "your last pamphlet," (that of 1880 "Problem of Canada.") "I "think, if rewards go to those who have earned them in the "North West, you should be the first to receive them." That however, some accidental or technical difficulty seems to have arisen, in Council, in dealing with it, *inter alia*, the very exceptional character of the claim, and the doubt, in the mind of some, as to whether, technically, it is legal, and would be unobjectionable to Parliament and the press as the exponents of public opinion; and, in consequence, the matter—so far as the memorialist knows—was left in abeyance.

That receiving no answer to his petition, the memorialist withdrew it at the close of last Session, and all his papers (with the petition itself, viz., of March 1883), were returned to him.

That he now renews it, in form to meet—as he trusts—the objections previously raised.

* * *

That the more special object of the present memorial, with its accompanying documentary evidence, is to inform Parliament —with whom the vote sought ultimately rests—of the nature of the claim.

That the memorialist has every confidence in the sense of justice of the Government and Parliament in such a case—comparatively of little moment, in public concern, though it may appear to be.

That the memorialist is not aware of having forfeited any just consideration in this matter: and the needs of his declining life force him to thus present his claim; leaving it to his countrymen as represented in Government and Parliament to say what he should get in the way of indemnity or just recompense.

MALCOLM MACLEOD.

Ottawa, 31st January, 1889.

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A

SPECIAL CERTIFICATE of Mr. Sandford Fleming, Engineer in in Chief, of the Canadian Pacific Railway, as to the services of Mr. Malcolm MacLeod in starting the work, and information (reliable) as to the extraordinary agricultural and other economic resources of the North West Territories and British Columbia:

(Letter written specifically for use with Petition to the Government of Canada for indemnity of outlay, etc., in above service.)

"OTTAWA, 12th March, 1883.

MALCOLM MACLEOD, ESQ.

"DEAR SIR,—In responding to your request I have much pleasure in stating that I have appreciated very highly your zeal in years gone bye in bringing under the notice of the public the North West of Canada.

When first charged with the surveys of the Canadian Pacific Railway it was my duty to seek for information in every quarter where it might be available.

Having read letters in the public papers written from time to time by you on the subject, I was led to make your acquaintance, and I obtained from you information respecting the physical features of the country on both sides of the Rocky Mountains, which I considered of special value and perfectly reliable.

When I started in 1872 to make a journey overland, you were good enough to place in my hands advance sheets of your pamphlet "Peace River," which I read on the way across the plains with deep interest.

It was this pamphlet which suggested to me the idea of gaining additional information respecting the Peace River country, and I felt it in the public interest that an examination of it should be made without delay. I accordingly detached Professor Macoun and Mr. Horetsky from other duties and instructed them at Edmonton to proceed to Peace River and thence across to the Pacific Coast. The results are given at length in my Pacific Railway Reports, to which I may refer. *But for you*, I may say, it is just possible that we might have known very little about the Peace River Region at the present day—and although the region may not be opened up by railways for some time *it certainly weighed very heavily in the scales when the question of the route of the Pacific Railway was under consideration a few years ago.*

Your views with respect to the productiveness of the North West have been more than confirmed by recent examinations. Few men were to be found in Canada who wrote so enthusiastically about the country before and after the Union with British Columbia. I FEEL THAT THE PUBLIC IS DEEPLY IN YOUR DEBT, and I would be glad to see the debt diminished in some way.

I am aware that your writings have been read on both sides of the Atlantic. I have had occasion to learn from letters received from England that you have contributed to the advancement of Canada and especially the North West region, in the Mother Country.

If you should consider any further testimony of mine with respect to the public services you have rendered, of any value, I shall consider it a simple act of justice to you to furnish it.

Yours very truly,

SANDFORD FLEMING.

B

(Telegram engaging Mr. McLeod for aid in starting preliminary survey for The Canadian Pacific Railway.)

"OTTAWA, 19th May, 1871.

To M. McLEOD, ESQ.,
Barrister, Aylmer.

Mr. Fleming will be much pleased if you can give him an interview here. I advised him that you were well acquainted with British Columbia. Expenses will be paid.

WILLIAM WALLACE."
(Then Secretary for the work—
Subsequently M.P. for S. Norfolk.)

BB

(Official acknowledgement from Department of Railways.)

Seal—Department of Railways and Canals, Canada.

"OTTAWA, February 17th, 1885.

No. 22550.
Subj. 961.
Ref. 35835.

SIR,—I am directed to acknowledge the receipt of a Memorial* from you, addressed to His Excellency the Governor General and transferred by the Secretary of State to this Department asking for remuneration by a Land Grant for alleged services rendered the Dominion Government.

I am, sir,
Your Obedient Servant,
A. P. BRADLEY,
Secretary."

MALCOLM McLEOD, ESQ.,
Barrister,
Ottawa.

*Note.

** Note by Petitioner.*

In connection with this "Memorial," and to accompany it, the Petitioner, on 23rd February, 1885, addressed to the Honourable Minister of Railways, a duplicate original certificate of Mr. Sandford Fleming, as to the service in question—the other (the first original) remaining annexed to the Petition of 1883 before the Honourable Privy Council.

The reason why the duplicate original No. 2 did not accompany the Memorial of six days before was unavoidable delay in getting it. It is the only evidence in the Department, of the service in question. The original papers of the Canadian Pacific Railway Office, in which there might have been—but not necessarily so—mention of the engagement and service in question were burnt in 1873.

M. McL.

C

(Certificate from ex-Lieutenant-Governor A. Morris.)

"TORONTO, 23 March, 1883.

DEAR SIR,—In reply to your letter I write to say, that I am very well aware that you devoted a great deal of time and effort, under the *nom de plume* of "Britannicus," in the press, to call attention to the value of the North West possessions, to the Pacific Railway route and other matters affecting the welfare and progress of Canada. I regarded you, at the time, when the public mind was largely uninformed on these subjects as rendering *very important service to the country*, your connection with the North West enabling you to speak *with intelligence and authority.*

I am also aware, that at the time of the Red River Troubles* you communicated your views to me as a Minister of the Crown, and that I placed you in communication with the late Hon. Mr. Howe, then Secretary of State. I know of no one who laboured more assiduously in dealing with the questions I have referred to in the earlier part of this letter than you did.

Yours truly,

M. McLEOD, ESQ., Ottawa. ALEX. MORRIS.

D

NOTE.

* "*Red River Troubles.*"

In explanation of this I would state :

When these "Troubles" (in 1869) occurred—and of which, I may state, I had, by letter of 27th Sept. 1869 to the then Premier of Ontario (J. S. McDonald)—a personal friend—given warning, or at least, emphatically foretold what would likely arise from the state of matters in question then known to me. On 2 Oct. as he wrote me he spoke of it to the Hon. Mr. McDougall, in Toronto, then on his way to Red River. The warning was unheeded ; and the difficulty occurred, just as apprehended.

When the fact was reported to the Government in Ottawa, they were, evidently, taken by surprise, and seemed at a loss how to meet it. In the meantime a cry was raised, in Ontario especially, to send troops to force the way.

I knew that that, if possible at the time—which I doubted—any military effort would be disastrous to all concerned, and that the first shot in such attempt, under the condition of things then there, with the Hudson's Bay Company's people and even chief officer in charge of Fort Garry powerless against the party in resistance, would, possibly, be fatal to the cherished scheme of the annexation of the North West.

Thereupon, as there was no one else, about here, to inform the Government of the chief causes of the difficulty, I offered to do so. I did this, first by memorial to the Government from me as a North Wester, personally and intimately connected with many of the chief families in the settlement, and moreover having, by inheritance, proprietary rights in it. At the same time avowing our utmost loyalty. In the memorial, however, I deprecated any forcible measures at the time. The memorial was, I understood, duly received, and regarded. At the same time I knew that an explanation was necessary. Mr. Morris had always conspicuously shown an intelligent interest in North West matters, and, privately—as he says, I addressed myself to him—offering information which I thought necessary, and which proved so. The result was an interview—in fact two or three—in the course

of which, with documentary evidence, I explained the esoteric causes of the passive attitude, if not worse, of the Hudson Bay officials in Fort Garry, and other causes (natural and reasonable) of discontent at the juncture. It was with Mr. Howe, as then charged with such matters, that I had the interviews, and I have his letter of thanks for the service. The Government acted on it.

M. McLEOD (Petitioner).

E

(Certificate of Sir James Douglas, Governor of British Columbia.)

Extract.

"VICTORIA, 3rd April, 1873.

DEAR MR. McLEOD,—I have had the pleasure of receiving your letter of the 17th December last, together with the McDonald journal and explanatory notes" [McLeod's "Peace River,"] "for which I most sincerely thank you.

To say that I read over these documents with that sort of feeling which one experiences in running through any ordinary publication, would very inadequately express the intense gratification derived from their perusal. It was really going over old familiar ground; recalling scenes and incidents possessing for me a most lively interest: The plain, simple, unvarnished tale of the daily progress and experiences of the adventurous travellers was, to me, and to many others who read the little work, far more touching than the most sensational fiction."

* * * * * *

☞"*Your* notes and tables of distances must have been of immense service to Mr. Fleming in preparing his last annual report, which before I received your letter, showing how he acquired his information, greatly surprised me, by its fulness of detail and evident familiarity with the leading physical features of the country, as well as the breadth and vigour with which it grappled and dealt with the whole subject of the overland route.

I must certainly add my testimony to that of Mr. Fleming" [N.B.—Mr. Fleming had seen him in 1872,] "and of many other friends and supporters of the grand Canadian enterprise, as to the *extreme importance of your literary contributions in promoting the work.*

I retain a lively recollection of your worthy father," &c.

Yours very sincerely,

JAMES DOUGLAS.

M. McLEOD, ESQ.,
Aylmer, P.Q.

F

(Certificate from the Surveyor-General of Dominion Lands, Col. J. S. Dennis.)

"OTTAWA, 31 July, 1872.

MY DEAR MR. McLEOD,—The first glance into your book since writing you this morning possesses peculiar interest to me from the fact that your estimate of the available land for farming purposes in the N. W. so nearly agrees with my own. The latter you will see in the blue book now sent you. I have been accused of making a statement then which facts will not warrant as to the extent of the area in question.

I shall be glad if after perusing my estimate and classification you can write me a note on the subject which I can use in case the matter is brought up again.

Believe me,
My dear sir,
truly yours,

To Malcolm McLeod, Esq., J. S. DENNIS.
Aylmer.

G

(Another Letter from Colonel Dennis.)

"Ottawa, Dec. 4, 1872.

My Dear Mr. McLeod,—Many thanks for your kindly sending me a presentation copy of your very interesting and timely "*Brochure*" on Peace River.

I shall always prize it, not alone as a narrative of facts connected with events which occurred in the Territory many years before even the most sanguine could have imagined that country likely to be opened up for settlement—but also because of the *author's claims to be considered as one of the pioneers of the North West, and as one knowing of what he writes.*

I have made a distribution among gentlemen who will appreciate them of the three copies you had previously sent me through Durie & Son.

Believe me,
My dear sir,
Yours very sincerely,
J. S. DENNIS.

Extract from other letter from same.

"You will see that the pamphlet written by you on the Territory in question is attracting attention in England." J. S. D.

Note.

Several copies were gratuitously distributed in England, as well as many more in Canada, by the author, amongst leading minds in such matter, and also amongst the leading press.

There was no sale of the work in England, nor was any attempted. The author distributed at his own cost, at least eight-tenths of the whole issue of 500. M. McL.

H

(Letter from the Surveyor General of Dominion Lands respecting Colony to Peace River.)

"Dominion Lands Office,
"Ref. 4649." Ottawa, 14th Dec., 1875.
"4282"

Dear Sir,—I enclose for your perusal a letter from the Rev. Mr. Fletcher, Marlborough, England, on the subject of a Colony which he proposes to form in the Peace River district, and will be much obliged for any remarks with which you may favour me as to the expediency or otherwise

of encouraging such a scheme on the part of the Government. It appears to me doubtful whether it is one which under existing circumstances, it would be proper for the Government to extend much encouragement to.

I do not see what is to support the colony at the present time—there would be no outlet for any surplus produce, and with exception of mining, I see no industry by which they could make a subsistence.

Tell me frankly what you think of it, and in writing me please to return the paper.

I received this morning your pamphlet on the subject of the Pacific Railway scheme, for which, many thanks.

Believe me,
Dear Sir,
Yours very truly,
J. S. DENNIS."

"You will see that the pamphlet written by you on the territory in question is attracting attention in England.

Perhaps you will be good enough to communicate directly with Mr. Fletcher, as he expresses a desire to be put in communication with you."

"J. S. D."

I

(Other letter from same in same matter—Acknowledgement.)

"DOMINION LANDS OFFICE,
"Ref. 4649." Ottawa, 17th Dec., 1875.
"4311"

MALCOLM MCLEOD, ESQ.,
Barrister, &c., &c.,
Aylmer, P.Q.

MY DEAR MR. MCLEOD,—I am much obliged for your letter in reply to mine on the subject of the colony proposed to be found in the Peace River territory by the Rev. Mr. Fletcher.

I entirely agree in your view that to attempt to form such a settlement at the present time under existing circumstances would be premature, and would lead to great disappointment and losses on the part of its promoter.

You will see by the note enclosed that Mr. Lowe, the Secretary of the Department of Agriculture and Immigration, has sent a copy of your letter to Mr. Fletcher in England.

Believe me, my dear sir,
Very sincerely yours,
J. S. DENNIS."

J

(Letter of Mr. Lowe in same matter.)

"DEPARTMENT OF AGRICULTURE,
Ottawa, 16 Dec., 1875.

DEAR COL. DENNIS,—I am obliged to you for your note of this day's date with a letter from Mr. McLeod, a copy of which has been enclosed to the Rev. Mr. Fletcher, in England, for his information, and he has also been informed that you concur in Mr. McLeod's opinions.

Believe me,
COL. DENNIS, Yours truly,
&c., &c. JOHN LOWE.

K

(Extract from Letter of Professor Macoun, Botanist, after examinations of the Peace River Region—1872–5.)

"My Dear Sir,—Your writings first called attention to the country, and after having traversed the country from end to end, I can say with safety, that all your statements regarding the fertility of the country are *fully borne out* by the facts which came under my own notice. You have certainly not overstated the value," &c.

"I remain,

To Malcolm McLeod, Esq., Aylmer. Yours sincerely, JOHN MACOUN."

In this connection, the memorialist would also refer to Professor Macoun's evidence, at great length, as to the *flora* of the Peace River Region and the North West *beyond* the so-called "Fertile Belt" of the Saskatchewan, before The Commons' Special Committee on Immigration and Colonization in 1876, reported in blue book, along with that of the memorialist: and in which latter is embraced a tabulated statement, by myself, of agricultural and economic areas throughout the whole North West, and which was accepted as the basis of best information on the subject—subsequently confirmed, so far as examined, by official experts and reports.

Also, in same connection, the memorialist would refer to testimony of the same witness as reported in page 68 of the Report (1888) of the Select Committee of the Senate appointed to enquire into the resources of the Great McKenzie Basin, in which he says :—

"In 1872, I was sent by Mr. Fleming, who was then exploring the Canadian Pacific Railway, from Edmonton, and we had the book with us that Judge McLeod spoke of having written" [meaning "Peace River"]. "It was his book that caused Mr. Fleming to send me and another gentleman to explore the Peace River and see if there was a Pass there. We made our way from Edmonton to the Peace River, and reached the river about the last of September."

Note.—They found the Pass just as represented, and with height, above sea as measured by them with aneroid, actually less by about fifty feet than the estimate given by me in my book: in fact my estimate and the line for railway as subsequently laid on survey, through the Pass agree to a foot, viz., 1750 feet above the sea, as appears by plan to Report of 1874 by Mr. Fleming. And so was it as to all estimates of distances, heights, areas, &c., in the matters in question given by me in the writings in question: a fact attested by Mr. Fleming, and by all subsequent survey and expert examination, proving the reliability of the information given. Professor Selwyn's report establishes the same fact as to Peace River.

M. McL.

L

(Extract of Letter from ex-Lieut. Gov. Masson when Minister of the Crown, Sept. 1879.)

"I fully acknowledge the great services you have rendered in many ways to the country, and especially in contributing to make known to Canada the great resources of our North-West acquisition, and that I would feel happy if something could be done for you in recognition of those services."

QUEEN'S UNIVERSITY LIBRARY

Also, from same in April, 1877: "You must be very much gratified to see that the facts you have so strenuously tried to bring before our Canadian public have at last received their proof."

M. McLeod, Esq.,
Aylmer, Q.

Yours truly,
L. R. MASSON.

M

(Letter from Sir Hector Langevin.)

"Ottawa, 15th July, 1880.

My Dear Mr. McLeod,—I have to thank you for your attention in sending me a copy of your work entitled "The Problem of Canada." Your work is *a timely one.* Everybody thinks and speaks just now about our Great Pacific Railway and our great North West Territories. Your 76 pages will help in calling attention to these subjects out of Canada.

You have done well to publish them.

Yours truly,

Malcolm McLeod, Esq.,
Aylmer.

HECTOR L. LANGEVIN.

N

"The Problem of Canada."

This was a pamphlet, entirely of my own suggestion, to meet what I considered a pressing want at the juncture, as there was no book (apart from scarcely accessible blue books) out on the subject, giving any idea of the work save the writer's pamphlets. The scheme of a Canadian Pacific Railway, on merely Canadian resources, appeared—so far as the public knew—to be, at the time, impracticable. The writer in advocating it *ab initio*, eleven years before (1869) had pointedly urged the necessity (and duty) of Imperial contribution in the measure of obvious Imperial interest in the work. In the course of his argument he (amongst other facts *ad rem*) gave statistics, carefully collated by himself, as to the extent and progress of the Pacific trade to be touched, served, and enhanced by it to the benefit of Britain as well as Canada. He also advocated, as he had from the outset, that the work should be made and permanently owned and governed by the Canadian Government, or, in alternative, by the Imperial Government.

Incidentally, the immense natural resources of the North West Territories and British Columbia, for local support to such a work, were pointed out. Also the feasibility and comparative facility and advantages of the Canadian route. All this was put in form and manner to readily seize the mind—even of the British capitalist to whom recourse seemed inevitable for means.

The writer gratuitously distributed about three hundred copies of the work to leading minds and leading press in England, Canada and Australia, with very general acceptance, as shown by press acknowledgements, and by special complimentary autograph acknowledgements from even the Marquis of Salisbury, Mr. Gladstone, and other leading statesmen in England as well as in Canada.

The little work did really good service in the furtherance of the project although in some respects it clashed with the present scheme, which, at the time, was unknown to the writer, and—he may add—unknown to the general public. In effect, it served the present scheme; and this, from Sir

Hector's approval, seems to have been his view of it. The writer acted in the matter on his own responsibility, irrespective of any parties personally interested in the work. It may, by some, be regarded as obtrusive. Be that as it may, the writer makes no demand for *it*, but only for what was called for and utilized before that, by the Government in the public interest, as stated in Mr. Fleming's certificate, on application by him as an officer, *ad hoc*, of the Government.

M. McL.

Historical Evidence of Service.

Extracts.

(From Appleton's Cyclopœdia of American Biography, Vol. 4 pp. 146–7.)

"McLeod, John, Canadian explorer and trader." * * *

"He effected, with his associates, an expansion of trade in furs and other natural resources of the Pacific Slope from Yukon to San Francisco, and with the Sandwich Islands and Alaska." * * * *

"He did more than any other man to open the North West for settlement."

"His son, Malcolm, was really the first to point out the possibility of a trans-continental railway, and in 1869 defined a feasible route from Montreal to the Pacific, giving estimates of distances and heights. When, under the terms of Union with British Columbia, an exploration was set on foot by the Canadian Government, Sandford Fleming, the Chief Engineer, put himself in communication with Mr. McLeod, who rendered valuable assistance in connection with the preliminary survey for the Canadian Pacific Railway." * * * "He has published 'The Peace River' from his father's journal and his own observations while living in the Rocky Mountains (Ottawa 1872)—five pamphlets on the Pacific Railway under the pen-name 'Britannicus' (1874–80), and 'Problem of Canada' (1880)."

See also Bancroft's History of British Columbia, under the above names, father and son, cited by Appleton, where the former is referred to as the "Veteran" among the fur traders and pioneers of "the North West." The story of his service in this regard has never been published, but the facts, in their importance, have, independently, by the research of foreign historians, found some recognition and record: his son—sharer in early life of his toils and perils—has but continued that service, without any claim to any special merit therefor, and without reward or compensation in any way hitherto.

M. McL.

PETITION

To His Excellency The Right Honourable Lord Stanley, of Preston, &c., &c., Governor General of the Dominion of Canada, &c., &c.

The Petition of the undersigned, Malcolm MacLeod, of the City of Ottawa, Canada, Advocate, &c., &c.

RESPECTFULLY REPRESENTS,—

That your Petitioner, under circumstances stated in the annexed memorial, at the instance of the Government of Canada through its proper officer, rendered special services in the initiation and early prosecution of the scheme of a transcontinental railway:

That these services, or at least some of them, are specially acknowledged in the official report of Mr. Sandford Fleming of survey for the work, in 1874, page 13; and also subsequently in other official reports on the subject.

That having been born in the far North West Territories, accompanying, there and in British Columbia, his father the late John MacLeod, Senior, one of the original trade partners of the Hudson's Bay Company, a pioneer (now historical) of British conquest and colonization between Hudson's Bay and the Pacific, your Petitioner had an exceptional personal knowledge of the whole regions to be traversed by such a work. That as to the most difficult part of it for railway, especially between the eastern slope of the Rocky Mountains and the Pacific, there was, at the time, no official or authentic report except what (such as the official report of Captain Palliser in 1860, in Imperial Service) was positively adverse.

That your Petitioner, with a better knowledge of the region in question—familiar with it—had, from time to time, before Mr. Fleming's survey, been writing in the leading press in Canada on the subject, defining, with much detail, from his own knowledge and from the journals and reports, &c., of his father and associates in the Hudson's Bay Company throughout the country,

different feasible routes for travel and even railway, from the settled parts of Canada to the Pacific.

That these were the only writings, in press, (as admitted by the highest authorities) with any claim to authenticity or reliability on the subject at the time and previous to the survey by Mr. Fleming, referred to in the annexed memorial. That the proof (or at least some of it) on this head is indicated in the memorial, with certificates from proper authorities.

That to start the initiatory survey for the work, Mr. Fleming (as he states in his annexed certificate) applied to your Petitioner for necessary information, not procurable elsewhere.

That your Petitioner, then living at a distance, personally responded at once to the call ; with, however, much sacrifice of pressing professional duties at the Bar in the Province of Quebec, where Petitioner was then living and practising. That for further particulars on this head, Petitioner refers to the annexed memorial.

That immediately after starting the survey, your Petitioner, at the instance of Mr. Fleming (but at Petitioner's sole cost) for furtherance of the scheme, published his book " Peace River," giving a mass of new and valuable information as to the feasibility of railway routes, and extent and nature of agricultural and other economic resources in the far North West, *beyond* the so-called " Fertile Belt," resources hitherto unknown and beyond all preconception on the subject.

That that information—Petitioner is in a position to state, and, if need be, prove—largely, if not mainly, *ab initio*, enlisted capitalists in England and Europe, as well as in Canada, in the enterprise.

That before, and from the initiation of the scheme until the Official Report of Survey in 1874 by the Engineer in Chief (Mr. Fleming) there was no one—so far as he knows—in the position of your Petitioner to speak or write with any degree of authority on the subject ; and by the first practical promoters and contractors of the work he was appealed to accordingly by letter and otherwise.

That up to 1880 when the work was committed to the present company, your Petitioner was—so far as he knows—the only public writer (in press and pamphlet) on the subject with any authoritative knowledge of the facts to be dealt with in the work. That everything, in utmost detail, which he advanced on the theme has since proved true and correct.

That the effort cost him, in outlay, loss of time, and labor, at least five thousand dollars.

That for all this work and outlay your Petitioner has not, directly nor indirectly, received the slightest remuneration in any way.

That the service has seriously impoverished him ; and in his old age his necessities force him to now present his claim for some indemnity at least, and for such remuneration as Your Excellency, in Government, may deem just and proper.

And your Petitioner, as in duty bound, will ever pray.

MALCOLM MACLEOD

Ottawa, 31st January, 1889.